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Draft Chesapeake Bay Total Maximum Daily Load

Comment On: EPA-R03-OW-2010-0736-0001
Clean Water Act Section 303(d): Notice for the Public Review of the Draft Total Maximum Daily Load (TMDL) for the Chesapeake Bay

Document: EPA-R03-OW-2010-0736-0377
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Submitter Information

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General Comment

The objective for the TMDL is appropriate: "Allocated loads should protect living resources of the Bay and its tidal tributaries and result in all segments of the Bay mainstem, tidal tributaries and embayments meeting 5 water quality standards for dissolved oxygen, chlorophyll a, water clarity and underwater grasses."

Translating these ecological assessment endpoints into ecosystem services would be valuable for refining objectives and for communication to the public and political decision makers. The TMDL water quality standards are linked primarily to the health of keystone species in the Bay. Those species are important for the Bay's fishery and recreation, as well as other services (or benefits) provided by Bay-related ecosystems. Highlighting these services will enhance community understanding and support for the TMDL objectives.

It is appropriate that tributary basins that contribute the most to the Bay water quality problems must do the most to resolve those problems (on a pound per pound basis).

It is appropriate that EPA commits to reducing air deposition of nitrogen to the tidal waters of the Chesapeake Bay to 15.7 million pounds per year. The reductions are an important component of restoring the Bay's health.

SCI observes that voluntary agreements struck by the Chesapeake Bay Commission, between the jurisdictions included in the TMDL, have been consistently reset following failure by the jurisdictions to meet their own goals for cleaning up the Chesapeake. That the Watershed Implementation Plans (WIPs) submitted by the seven jurisdictions were found by EPA to show insufficient reasonable assurance that pollution controls identified could actually be implemented underscores these jurisdictions' inability to enter into a binding agreement to clean the Chesapeake. EPA should enact a strict timeline with clear penalties for non-compliance to enforce the TMDL.